

## DECLARATION AND POWER OF ATTORNEY

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "METHOD AND SYSTEM FOR RESOURCE MANAGEMENT WITH INDEPENDENT REAL-TIME APPLICATIONS ON A COMMON SET OF MACHINES," which is described and claimed in the specification and claims of Patent Application No. 08/568,578, which we filed in the United States Patent and Trademark Office on December 7, 1995, and for which a patent is sought.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

We hereby appoint RICHARD W. SEED, Registration No. 16,557; ROBERT J. BAYNHAM, Registration No. 22,846; EDWARD W. BULCHIS, Registration No. 26,847; GEORGE C. RONDEAU, JR., Registration No. 28,893; DAVID H. DEITS, Registration No. 28,066; WILLIAM O. FERRON, JR., Registration No. 30,633; PAUL T. MEIKLEJOHN, Registration No. 26,569; DAVID J. MAKI, Registration No. 31,392; RICHARD G. SHARKEY, Registration No. 32,629; DAVID V. CARLSON, Registration No. 31,153; MAURICE J. PIRIO, Registration No. 33,273; KARL R. HERMANN, Registration No. 33,507; DAVID D. McMASTERS, Registration No. 33,963; ROBERT IANNUCCI, Registration No. 33,514; JOSHUA KING, Registration No. 35,570; MICHAEL J. DONOHUE, Registration No. 35,859; LORRAINE LINFORD, Registration No. 35,939; KEVIN J. CANNING, Registration No. 35,470; CHRISTOPHER J. DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; ROBERT G. WOOLSTON, Registration No. 37,263; CLARENCE T. TEGREENE, Registration No. 37,951; ELLEN M. BIERMAN, Registration No. 38,079; BRYAN A. SANTARELLI, Registration No. 37,560; MICHAEL L. KIKLIS, Registration No. 38,939; CAROL NOTTENBURG, Registration No. 39,317; PATRICK McBRIDE, Registration No. 39,295; ANN T. KADLECEK, Registration No. 39,244; CRAIG S. JEPSON, Registration No. 33,517; PAUL T. PARKER, Registration No. 38,264; JOHN C. STEWART, Registration No. P-40,188; ROBERT W. BERGSTROM, Registration No. P-39,906; HARRY K. AHN, Registration No. P-40,243; and DAVID W. PARKER, Registration No.

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37,414, comprising the firm of SEED and BERRY LLP, 6300 Columbia Center, Seattle, Washington 98104-7092, as our attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Kevin J. Canning at (206) 622-4900 and telecopies to (206) 682-6031.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

  
Michael B. Jones

Date March 4, 1996  
Residence : City of Redmond, County of King  
State of Washington  
Citizenship : United States of America  
P.O. Address : 17259 N.E. 36th Street  
Redmond, Washington 98052

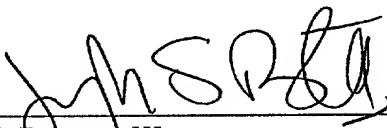
  
Paul J. Leach

Date 2/28/96  
Residence : City of Seattle, County of King  
State of Washington  
Citizenship : United States of America  
P.O. Address : 1134 Federal Avenue  
Seattle, Washington 98012

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Richard P. Draves, Jr.

Date 3/4/96  
Residence : City of Seattle, County of King  
State of Washington  
Citizenship : United States of America  
P.O. Address : 602 - 38th Avenue  
Seattle, Washington 98122

  
\_\_\_\_\_  
Joseph S. Barrera, III

Date 2/27/96  
Residence : City of Belmont, County of San Mateo  
State of California  
Citizenship : United States of America  
P.O. Address : 1123 Ladera Way  
Belmont, California 94002

## ASSIGNMENT

WHEREAS, we, Michael B. Jones, Paul J. Leach, Richard P. Draves, Jr. and Joseph S. Barrera, III (hereinafter referred to as ASSIGNORS), having post office addresses of 17259 N.E. 36th Street, Redmond, Washington 98052; 1134 Federal Avenue, Seattle, Washington 98012; 602 - 38th Avenue, Seattle, Washington 98122; and 1123 Ladera Way, Belmont, California 94002, respectively, are the joint inventors of an invention entitled "METHOD AND SYSTEM FOR RESOURCE MANAGEMENT WITH INDEPENDENT REAL-TIME APPLICATIONS ON A COMMON SET OF MACHINES," as described and claimed in the specification for which an application for United States letters patent was filed on December 7, 1995, and assigned Application No. 08/568,578.

WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington, having a place of business at One Microsoft Way, Redmond, Washington 98052-6399, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

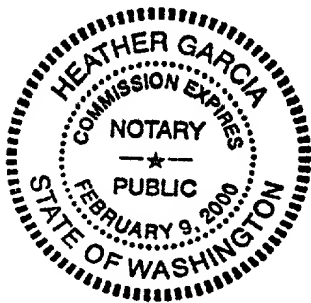
March 4, 1996  
Date

[Signature]  
Michael B. Jones

State of Washington )  
County of King )

ss.

I certify that I know or have satisfactory evidence that Michael B. Jones is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 3/6/96  
Signature of Heather Garcia  
Notary Public  
Printed Name Heather Garcia  
My appointment expires 2/9/00

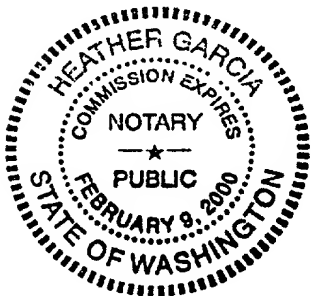
2/28/96  
Date

Paul J. Leach  
Paul J. Leach

State of Washington )  
County of King )

ss.

I certify that I know or have satisfactory evidence that Paul J. Leach is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 3/6/96  
Signature of Heather Garcia  
Notary Public  
Printed Name Heather Garcia  
My appointment expires 2/9/00

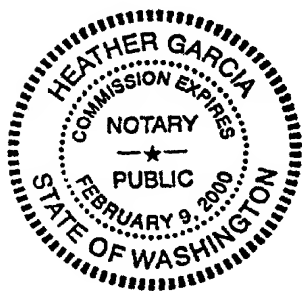
3/4/96  
Date

  
Richard P. Draves, Jr.


State of Washington )  
County of King )

ss.

I certify that I know or have satisfactory evidence that Richard P. Draves, Jr. is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



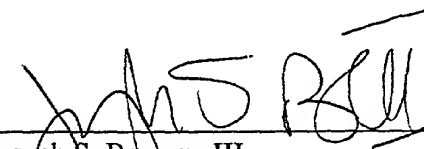
Dated 3/6/96

Signature of Notary Public 

Printed Name Heather Garcia

My appointment expires 2/9/00

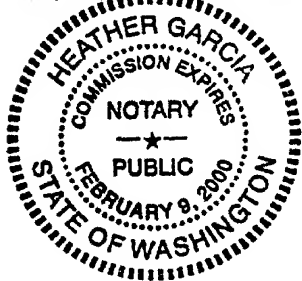
2/27/96  
Date

  
Joseph S. Barrera, III

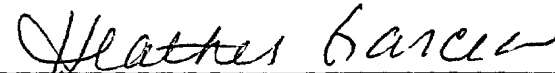
State of Washington )  
County of King )

ss.

I certify that I know or have satisfactory evidence that Joseph S. Barrera, III is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 3/6/96

Signature of Notary Public 

Printed Name Heather Garcia

My appointment expires 2/9/00